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STEPPING-STONES

TO

POLICE EFFICIENCY

BY

W. A. GAYER

*Assistant Inspector-General of Police, C.I.D.,
Hyderabad.*

Second Edition.

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PREFACE TO SECOND EDITION.

This little book has met with a most generous reception, specially at the hands of the Inspectors-General of Police of many of the Provinces of India. The sale in consequence has been so rapid, that a re-print is necessitated. Further, many enquiries have been made for copies in Urdu and Marathi. To meet these demands I have been fortunate enough to secure the assistance of Mr. Abdul Huq, Urdu Translator to His Highness' Government, and of Mr. H. B. Atre, a well known Marathi Scholar and author, who have very kindly completed the necessary translations. Mr. Sayyid Ali Belgrami, M.A., has been so good as to edit both I hope shortly to bring out a Hindi edition for which I have recently been asked.

W. A. GAYER.

PREFACE TO FIRST EDITION.

The aim of the Indian, as of every other police force, is to secure the protection of person and property. A nation looks to its army for its national protection ; and, similarly, it is not only the right, but the duty of every loyal subject to look to the police force for his individual protection. On the one hand, every individual should be able to carry on his occupation without dread of interference from those who would rob him of the fruits of his industry ; on the other hand, in the event of any such interference, he should leave it to the police to safeguard his interests. It follows, therefore, that the members of the police force of any country are in a position of great trust ; they must have a high conception of what their duties are, and must attract to their ranks men of the best stamp. One great obstacle to the realisation of this latter aim is the far too commonly held belief, that in the course of his duty a police officer may at times have to sink some of the scruples by which his

conduct in ordinary life is regulated. I have often heard it said, both by officers already in the higher grades of the subordinate police, and by native gentlemen of education, who would otherwise like to join the force, that the police department is not one in which an honourable man can serve efficiently, and still retain his self-respect. That this belief is widely held cannot be gainsaid, and this fact makes it all the more important that the fallacies underlying it should be fully exposed, if the police department is to secure the services of true and thoughtful native gentlemen. Moreover, the existence of this belief shows that policemen must often perform their duties under entirely wrong conceptions of their true nature and object, and must attempt to carry them out by methods never contemplated by those in authority. Therefore, though doubtful of my power to do justice to the police cause, I have ventured to write in refutation of this most pernicious belief, and to show the causes which have led to the abuses that gave it birth. I have also striven to define the true duties of the police, and to explain how they can be honestly and efficiently performed

The principles advocated are not new. They are based on the old and well proven truths, that the success of the police depends on the measure of confidence placed in them by the public, and that the confidence of the public in the police depends very greatly on the integrity of the individual members of the force.

My wish is not to write a book on criminal investigation, but to help those officers who are in charge of police stations in their daily work, for these officers are undoubtedly the backbone of every police administration. I cannot, however, expect that what I have said will be of permanent service to these, unless it be fully understood and believed by their superiors. I have, therefore, addressed myself also to Superintendents and inspecting officers. I have done this with diffidence: for I am aware that there are many of these whose experience and knowledge are far wider than my own. To such, however, I offer no apology, since they, above all others, will most readily recognise that a helping hand is sorely needed by some of the less experienced officers of the force.

There is one consideration which every member of the force, whether he be a Superintendent of wide experience, or a recently appointed station house officer, or even a newly recruited constable, may do well to bear in mind. This is that the truest reform of the force to which he belongs must come from within. The moral tone of the force will depend on the moral tone of each of its members, and it rests with them to maintain it at a high level. Governments have done much, and may still do more, to assist in this matter, but the real responsibility rests with its individual members. Let every policeman help in the creation of a high police tradition based on the principle that nothing mean or untrue should ever, or under any circumstances, be utilised for the so-called furtherance of police success. Let each member of the force bear in mind that his duty to the public is one of protection, and to the criminal one of reformation rather than retribution then all may safely rest assured that no police duty they may be called upon to execute can be of such a nature as to cause an honourable gentleman any hesitation in undertaking its performance.

I have, with a full sense of loyalty and respect, also ventured to propose a change in the present system of recruiting, training, and administrating the village police, in the hope that this matter may again be brought under consideration. I feel sure that the present arrangement, however necessary it may have once been, now retards police development, fosters distrust, and mars the perfection of the police system in India.

W. A. GAYER.

STEPPING-STONES TO POLICE EFFICIENCY

CHAPTER I.

GENERAL MISCONCEPTIONS.

Prevention and detection of crime, broadly speaking, sum up the duties expected of the police; and it is quite rightly accepted by the police that this is a correct definition of their work. But the relative importance of prevention and detection, as they affect police efficiency, is generally misjudged by both the police and the public.

“Prevention” is recognised as a useful duty; and is popularly supposed to be performed by beat constables walking about the streets at night. “Detection” is understood to be the duty of the officers of the higher grades of the subordinate police. Its object is popularly believed to be the discovery of offenders, and its successful termination to be their punishment.

The average Sub-Inspector's ideas as to prevention and detection of crime, though they may be a little more definite, are much the same as those held by the general public. Thus, while accepting detection as essentially his own business, he considers prevention to be the work of constables, and to consist merely of routine work such as beat duty, patrolling, and the nightly roll call of known bad characters. But as he believes that this work can only be successful in towns, where the force is large and sufficiently well supervised, in the districts prevention has practically no part in his conception of his duties: except, perhaps, in the case of isolated roads, which pass through jungly and hilly tracts, and where highway robbery may be feared even in daylight.

Thus, through the greater part of India, it is commonly understood that the main duty of the police is to detect rather than to prevent crime, and it is chiefly from this error that police trouble originates.

Neither the public nor the police regard the work involved in "preventing" crime as being objectionable, except that perhaps the police think it dull and irksome. Detection,

on the other hand, while admittedly interesting, is not regarded by any as enviable work. To many in India it is synonymous with oppression, cruelty, and dishonesty ; and it is even believed that unscrupulous methods are necessary for its achievement. There is, consequently, a natural distaste on the part of those holding such beliefs, to enter a department in which the culmination of ambition is the successful fulfilment of so questionable a duty.

Let us, for the sake of argument, accept the suggestion that detection is the main duty of the police, and that successful detection is the culmination of police ambition ; detection being defined as the tracing out of those who have offended against the law ; and its object their conviction in court.

At first sight such a duty, with such an object, might unhesitatingly be undertaken by anybody ; for undoubtedly to unmask a criminal, and render him powerless to do further harm, is a useful and commendable work. Its successful performance needs intellectual ability, physical courage, and energy. The unravelling of a problem in crime

demands patience, perseverance, and a strict adherence to the truth, combined with an honesty of purpose, the equal of which is perhaps hardly called for in any other business. It is evident, therefore, that the detection of crime, in itself, should be neither demoralising, nor objectionable. Why then has police work, as identified with detection of crime, acquired such a bad reputation ?

It seems to be clear that the answer lies in this : that the sole aim of the police force is considered to be the detection of crime, and the sole object of detection, to be the punishment of the criminal.

However true to himself and thoughtful for others a man may once have been, it must be demoralising to him to adopt a life, the main object of which is to bring even well deserved retribution upon certain of his fellow creatures. If such be a policeman's life, it shuts him off from all but unworthy ambitions : it makes him wish to be the scourge of evil-doers, and pride himself on the numbers that he has been able to put in jail. In all cases he will accept conviction in court as the only proof of complete success. Thus he will consider

that failure to obtain a conviction will always be looked on as proof of incapacity. Guided by this conception of his duty, he will conclude that his chances of promotion depend largely on the number of convictions which he has secured, and that in this respect he is competing against his colleagues.

The crimes to which the greatest importance is attached are those against property, such as dakaiti, robbery, and burglary. It thus comes about that the main ambition of many policemen is to obtain, at all costs, convictions in court of the perpetrators of such crimes; and that convictions are to them of far greater importance than the prevention of offences.

These crimes against property form a group the detection of which is ordinarily full of difficulties. It is the seeming impossibility of overcoming these difficulties that sometimes leads the police to resort to evil practices, and gives rise to the belief that unscrupulous methods must be employed in detection. Yet a little consideration (*vide* Chapter V) will show that this very group should admit most readily of anticipation; and that anticipation should lead to

prevention, or failing prevention to almost certain detection.

To discover an offender after a crime has been committed, is a public service far inferior to that rendered by preventing that crime. The failure to grasp this fact has been the stumbling-block of many thoughtful policemen, and has caused others to hesitate who would like to join the force.

Let every policeman realize this, and keep detection in its proper place as his second duty, and he will find that half his difficulties disappear. The growing dislike of his profession, and the nightmare that he must either give it up, or sink to the level of those who employ unfair or dishonest methods, will both vanish. By perpetually keeping "prevention" before him as by far his most important duty, and unceasingly attempting to secure it, he will find that even when he fails, detection will be very greatly simplified, that all his duties will become easier, finer, and more full of interest, and that his work will raise in him a keenness of which he would never have believed himself capable.

CHAPTER II.

POLICE SYSTEMS.

In the past I have had the opportunity of studying police systems over a great part of India. I have seen, at one end of the scale, a police force underpaid and badly supervised, at the other end, a force well paid and strictly disciplined ; and yet I have often found that the underpaid and neglected force effects the better prevention work, although this good result is attained unintentionally and unconsciously. In many of the less well managed States, atrocities unheard of in British India may, and possibly do, occur : police oppression may be unbearable, but burglary is almost unheard of. The usual explanation given is that such crime is not reported, but this is often wrong ; it does not occur. The truth is that the police of a badly governed State are too powerful and terrifying for the petty criminal. They have no controllers, the law has no terror

for them, for they realise that there are no laws except those administered by themselves, and that these exist only to enable them to punish whom they will ; they themselves, are exempt ; they can torture and oppress, extort money and embezzle, with impunity. All they desire is the excuse to exert their great power. A burglary in their jurisdiction is a piece of luck, for it furnishes the very excuse for which they are ever thirsting, and enables them to begin a campaign of loot.

There is no attempt to bring any culprit to court for punishment, as this would be the foolish wasting of an opportunity. Every one connected with the complainant must first pay to prevent the institution of proceedings for bringing, or abetting the bringing, of a false case. Then every one else who could possibly be charged with the burglary itself, or with receiving the property stolen, or with instigation, has to pay up ; and finally an indiscriminate application of torture to all who are too poor to pay will probably bring the culprit within the power of the police, and he in his turn will be tortured until he makes over the loot for division

among his persecutors. It goes without saying that such a lesson is not easily forgotten.

As enlightenment increases, control improves. At the present time the police, over the greater part of India, are in a transition stage. They have lost the power derived from tyranny that they used to hold, and have not always recognised that there is any other to take its place. Did they but know it, they have at hand, in the proper utilisation of the means already at their disposal, mechanism for controlling crime and protecting the public. This mechanism only requires to be strengthened and completed to be thoroughly effective.

We have in India one large continent divided into a number of countries, each administered by its own separate Government, and all united under the supreme Government of India. The presidencies and provinces of British India, and the Native States, though independent of each other, are geographically, and in their mutual interests, so closely connected that the policy and organisation of their police forces must necessarily be uniform.

The territories under each Government are divided into districts: the districts into sub-divisions or talukas: the talukas into police station circles, or groups of villages. The Inspector-General controls the Province: the Superintendent the District: the Inspector the Taluka: and the Sub-Inspector is in charge of the group of villages comprising his police station jurisdiction. Thus, the village communities are in direct touch with the Sub-Inspector; the Sub-Inspector with the Inspector; the Inspector with the Superintendent; the Superintendent with the Inspector-General; and the Inspector-General with all other Inspectors-General.

This organisation provides a chain of communication between any two villages in India. This chain is further strengthened by Police Gazettes, finger print bureaux, and the various registration schemes adopted from time to time.

The link connecting this organisation with the public is the Sub-Inspector, or other officer in charge of a police station. He is in touch with his villages, and is supposed to know all that goes on within them. To this end he is invested with great powers. He is

given the whole-time help of a small body of subordinate police, and is empowered to summon the help of the whole community within his jurisdiction. Further, he has at his back the help of his Inspector, his District Superintendent, his Inspector-General, his District Magistrate and all the staff directly or indirectly under the District Magistrate: for all these are public servants and are bound to help him in any legal action.

Every rule and regulation, every register or system adopted by a police administration, is designed to help its Sub-Inspectors. That their calling should be looked on with distaste shows, not that the position is at fault, but that the holders have abused that position, have been untrue to the trust placed in them, and have misused the powers with which they have been endowed. What they make of their great trust depends entirely on themselves. It is largely the manner in which many of these have done and are doing their work, which has from time to time brought condemnation upon the police of India.

A study of the life history of a policeman who wishes to become a Sub-Inspector, if he

be unfortunate at the commencement of his career, may help us to understand how this comes about.

CHAPTER III.

FIRST EXPERIENCES OF AN UNFORTUNATE NOVICE.

I do not suggest that the following brief sketch of the start in life of an investigating officer is true in every case; nor would I suggest that the Sub-Inspector portrayed is a common type, for he certainly is not. I fear, however, that he too often exists among untrained officers, and does infinite harm to the characters of those who are so unfortunate as to be placed under his control.

The novice begins his work either by being placed directly under a Sub-Inspector as a probationer, or is previously sent to a training school. In the latter case, he is taught drill, law, and procedure; and attends lectures on criminal investigation.

In either case, when he begins his career, he is usually full of fervour, and elated by dreams of future success as a detective. His main ambition is to figure as a successful detective in big cases.

In no profession, however, can an ambitious and energetic novice be more quickly disillusioned than in the police, should he be so unfortunate as to be placed under a bad type of Sub-Inspector.

The first thing he is told at the police station is that all he has learnt in the training school is useless. He finds that, in practice, village co-operation and the prevention of crime are never thought of, and that even the detection of crime is subordinated to the making of money. Registers are ignored, and returns are falsified. No crime is reported if its occurrence can be safely hushed up; and of the cases which have to be reported, a large percentage are shown as false, in order to minimise the appalling proportion of cases in which detection has failed.

Cases of hurt, affray, and house-trespass are exaggerated, and falsely shown under the graver headings of robbery and burglary, in order that capital may be made out of the arrests and convictions obtained. For, as already shown, the ignorant policeman considers that his success in his profession depends on the number of convictions which he can secure in this latter class of cases.

The young, and still untainted, policeman is further disgusted when he realises that even these grave abuses are subordinated to an overwhelming greed of pecuniary gain: a greed which causes his new superiors and instructors to look upon all crime primarily as a mere opportunity for the extortion of money from any or all who fall into their power.

In this evil work the leading spirit is the Sub-Inspector, whose grade is the acknowledged main spring of the profession. Our novice, when he has once grasped the situation, and understands the true value of the man appointed as his guide, philosopher, and friend, has three courses open to him. He may leave the service in disgust; he may remain on in the hope of being able to strike out an honest line for himself; or, he may accept the position, leave behind him his self-respect and honesty of purpose, and, all too willingly drift with the surrounding stream of demoralisation.

We need only concern ourselves with the man who follows the second of these courses. He is undertaking a task which will involve

him in many and great difficulties. Everything and everybody will appear to combine against him. He will find that each person with whom he comes in contact will, at first, take it for granted that he is as corrupt as the worst of his colleagues ; and whether it is the Magistrate or complainant, accused or witness, all will appear to look upon him as one who is solely working for his own ends.

Let us follow in imagination the first independent police enquiry attempted by such a man as this.

Let us imagine that the Sub-Inspector is absent on tour, and that our honest novice is left in temporary charge of the police station. A burglary is reported, and, full of zeal, our novice starts off for the scene of action. He feels a little aggrieved at finding that his arrival, though he is in full uniform, elicits no enthusiasm. Even the complainant, in common with every one else, seems disinclined to give any information, beyond such as is dragged from him by persistent and direct questioning.

The complainant is a Bania, and his house is like any other Bania's house. There is an obvious hole in the wall ; and marks clearly

show that the hole was made with a tool which had an edge three-fourths of an inch across. This fact, however, does not seem to facilitate detection.

There is no mark to which a clever finger may point in justification of the statement that the necessary clue has been found.

The village watchman, Linga Dher, whose help should be of great value, does nothing but insist that he never slept a wink all night, and that he visited the house at intervals of five minutes all through the hours of darkness. He is certain that the complainant himself dug the hole from the inside, to cover his own guilt. He explains that the complainant is about to get married, and consequently had invited a large number of relatives and friends, all of whom had brought their jewels and best clothing with them for the festival. It is, therefore, clear that the complainant has done away with all the things, which were put in his charge by his confiding relatives ; and has dug the hole, in order to account for their disappearance. Moreover, the complainant has a grudge against him (the watchman) because he refused to help him in a false case. The

complainant had then threatened vengeance, and is now carrying out this threat.

The appearance of the hole makes such a story most improbable ; it has undoubtedly been dug from the outside, and dug with the skill of a more experienced hand than that of a Bania.

The novice begins to realise that failure in detection is becoming probable ; and with this fear comes the memory of the Sub-Inspector's order that no case shall be reported without his sanction. Unless, therefore, this case is now brought to a successful issue, the novice feels that there will be trouble.

There is little doubt that under the same circumstances, the Sub-Inspector would take five rupees from the watchman, make him produce witnesses to prove the disagreement with the complainant, and evidence that he was on rounds all night. The Sub-Inspector would then, himself, see the hole built in, and report that it undoubtedly had been dug from the inside ; cunningly adding that it was there for inspection. He then would make assurance doubly sure, by delaying his report for two or three days. Such a

line of action would certainly be a safe way out of the difficulty. The closing of the hole could be charged to the complainant, and shown as proof that he was doing all he could to prevent a fair enquiry. The watchman and his friends would give evidence to this effect, and no one else would dare to interfere. Finally, he might recoup himself for his trouble by threatening to arrest the complainant, on the double charge of theft, and the institution of a false case; and abstain from so doing only on the receipt of sufficient hush-money: thereby finally closing the complainant's mouth. This course, however, is obviously wrong, and our novice refuses to adopt it.

There is no doubt that burglary really has been committed, and that the complainant has lost two or three hundred rupees' worth of property. What is to be done? There is no help to be got from the Police Manual, the Criminal Procedure Code, or even the lectures on the detection of crime. The world seems very large, and the population countless. In what direction can the thief be sought? True, there are the local bad characters; there are at least twenty of these

whose names are on the register, and one lives only two or three miles away. He is visited but swears he knows nothing. He has never moved out of his village since he returned from jail. His village headman will bear him out in this and, on being questioned, does so. The one desire of the suspected man is that his house may be searched, and "may his head be cut off should the stolen property be discovered." The house is searched but, of course, fruitlessly. Enquiries in connection with the nineteen other bad characters are equally futile.

No man was ever so tired and dejected as our novice when he crawls back to the *serai*, famished, yet too weary to cook his food. But worse than all fatigue and hunger is the dread of meeting the defied Sub-Inspector. It is too late to draw back now. Houses have been searched; the watchman has been reported for neglect of duty. Diaries have been written and despatched; and the case has been accepted as true. Was there ever so hateful a profession as the police? Stay! Who is this mysterious person, who has arrived so silently, and is salaaming so profoundly? He, at least, treats our novice with

proper respect. Can it be possible? He says he can find the burglar. What luck! How everything brightens! There is, however, one drawback, the newcomer refuses to give any information, "the case must be left entirely to him." He "must be given three days at least, and then will return with the burglar and the stolen property;" he has, in the past, detected many cases for the Sub-Inspector; and now, if he fails, may he be hanged. There seems nothing for it but to trust him. Everything else has failed, and if this new venture turns out even half as satisfactorily as the unknown deliverer promises, all may yet be well. The temptation to accept this offer seems almost irresistible; our friend gives way to it, and his fate is sealed.

The next two or three days are wasted. The mysterious one must be given time. At last he appears, but only to ask for two days more. He says everything is going well, there is no need for anxiety; the thief was cunning, and had hidden the loot but has now been outwitted and will be arrested almost at once.

At last he is brought; but is it possible that this little wizened creature, who seems in

such terror, pleads innocence so persistently, and complains of ill-treatment, can be the desperate criminal ? It seems incredible, and yet—who can tell ? He has been persistently described as being in appearance a sheep and in reality a wolf. Then, again, what about the recovered property ? It seems very little, and of no value—an old cloth, a blanket, and some ordinary cooking utensils. Well, these must be shown to the complainant, for they may be his. The complainant's look of scorn is final. Why should he lie ? (he observes with heat). What would he do with such things ? They are not his, and never were. If further evidence were needed of the truth of the denial made by the complainant, the look of intense relief on the face of the wretch under arrest furnishes it. The whole deception is hideously apparent. It is useless for the informer to abuse every one, and denounce the complainant as having been bribed into denial, and as being afraid to go to court. It is all too idiotically false ; but what is to be done ? Here is a man under arrest, and he must be released ; but how can his arrest, in the first place, be accounted for ? Besides, he complains of

having been beaten, and points to marks on his body. To face all this is far worse than even the Sub-Inspector's wrath, which has still to be braved. That all powerful officer may find out all that has happened. He may retaliate by reporting everything, at the same time scoring a point, by expressing his righteous horror of the disrepute into which the good name of the police has been brought. There is nothing for it now but to hush up everything. The novice must pacify the Sub-Inspector by reporting that, on fuller investigation, the case has proved false; and must plead inexperience for making the initial error in believing the false story of the complainant. Then resignation must follow, or he must fully accept his Sub-Inspector's practical police methods, involving ruin of all self-respect, and the first leap into the stream of degradation.

There are many to whom this picture will appeal; and many will say "yes, the case is true enough, but what could the boy do?" And it is certain that starting as he did, no one without great detective ability could have brought the case to a successful termination. The novice did all he could in

the available time. He followed the procedure which he had been taught, and honestly failed. He then succumbed to a common temptation and relegated his duties to an unknown "Informer."

The fundamental reasons for his unavoidable failure were the total lack of public confidence in the police, and that the novice was unprepared to begin his work.

The methods, which he learnt in the police training school, are based on the supposition that all registers are properly maintained, both in the spirit and in the letter, and that the reasons for their maintenance are truly appreciated.

In this case the routine police station work had not been done, and our friend began his investigation in complete ignorance of every fact which should have led him to the right solution. A perusal of the registers and reports received should have shown him:—

(1) That a marriage was taking place in the complainant's house; and that many of his friends had lately come to stay there, bringing with them their jewellery in accordance with their usual custom.

(2) That two of the local bad characters

had been in low water; that one of these had incurred heavy debt, by his marriage with the daughter of Linger Dher, the watchman of the complainant's village; that both had been meeting secretly with a recently released burglar (a Waddar) who, in his turn, had been recorded "absent" only a few days back.

Our novice would then have arrived at the scene of action armed with some very useful local knowledge, and so have had something definite to act upon. He could have immediately begun by searching the houses of the men to whom suspicion pointed; and have made particular enquiries as to their more recent doings. It is quite possible that these may have been seen by the complainant while they were prospecting, and can be recognised by him.

The instrument with which the burglars dug the hole may have been the thin end of the Waddar's drilling crow-bar, broken off for convenience. Search may disclose the heavy end while the pointed part, though recently broken off, cannot be accounted for; it probably having been buried with the loot. Other more or less direct clues might be

found, such as clothing recently dirtied by brick-dust, and so forth. Moreover, a knowledge of the direction the thieves must have taken, on leaving the scene of their crime, would facilitate the picking up of their tracks ; and so possibly lead to the discovery of the place where they stopped to bury their booty.

The systematic investigation, made possible by this previous knowledge, would unfailingly impress the complainant with the fact that the police were really endeavouring to help him ; and he would probably now volunteer both help and information which he previously withheld.

Whether our novice eventually succeeds in finding the stolen property, and in bringing the case to a successful conclusion, or whether he fails to do so, is really immaterial to his future prospects. He can truthfully record all he has done, for every step taken has been justified. If any report is made against him, he need fear nothing from even the strictest enquiry by a superior officer. Moreover, he will not have given himself into the power of any informer ; nor will he have lost the confidence of the public.

CHAPTER IV.

THE INFORMER.

In the second of the two systems of investigation, described in the previous chapter, it was shown how work was simplified by the investigator's previously acquired local knowledge. It was assumed that had the registers of his police station been properly kept, a reference to them would have supplied all the local knowledge needed. This implies that the police, in their routine of work, must acquire all information which directly, or indirectly, bears on the future commission of crime ; and the question arises as to how they should obtain this information.

It stands to reason that no Sub-Inspector, with a staff numbering about twelve men, can watch all that goes on in the fifty or sixty villages which comprise his ilaka ; and therefore, he must invoke outside help. It is usually believed that such outside help can only be obtained from "Informers," and

this regardless of their character. It is, therefore, necessary to go into this whole question of informers very deeply, for it is a matter of the utmost importance.

The term "Informer" applies to one whose ostensible trade is to spy among the criminal classes; the only requirement for qualification is for him to be admittedly a criminal, and an associate of criminals: for this ensures his having the power of mixing intimately with them, without arousing suspicion.

When the police make use of an informer, the information they require of him must relate to local bad characters, and he must, therefore, be one who lives in the neighbourhood. He is the acknowledged associate of the local criminal community, so that in any particular case, there can be no *prima facie* reason why he should not himself be the criminal. At all events he is the friend, treacherous or otherwise, of the criminal.

It is clear that in almost all cases in which the informer's friends, the local "Badmashes," have taken part, the informer himself, if he wishes, can give much useful information to the police. In fact, it is solely on this

assumption that the police ask his help. It is also equally clear that if it suits his immediate purpose, the informer can easily put the police on the wrong track, and warn his friends if at any time they seem to be in danger.

An unbiassed thinker would scorn the idea that a man, however treacherous, would prefer to serve his traditional enemies, the police, rather than his acknowledged associates, except for some great personal advantage. Now, when an informer first enters into a compact with the police, what advantage does he profess to demand ? Is it payment ? No, he seldom demands payment, except as a blind ; for, in truth, he could make more by a day's blackmail or a night's burglary, than the police would pay him in a year. What he does ask for is some certificate or other tangible acknowledgment that he is being employed by the police.

His real aim is to place himself in such a position that he can protect his friends ; gain for himself immunity from arrest ; and secure to himself the power of blackmailing the ignorant and timid. Thus, at the same time, making the police impotent, usurping their

power, and placing himself in a position to bleed the public. The public have no redress, since the police (who should protect them) are the servants in deed, if not in name, of their oppressor.

If the investigating officer wishes to gain the help of such a man, he makes himself willingly or unwillingly the dupe of one whom he knows to be a "Badmash," and a treacherous "Badmash"; and one who may be the very criminal for whom he is searching. He must, of necessity, leave him to his own devices; for, if the informer's connection with the police be apparent, his utility as a spy disappears. The policeman must avoid the scene of action, and thus commences his work by tying his own hands; and, while acknowledging himself incapable, must admit that his uneducated spy has the professional ability which he himself lacks.

The informer has probably no intention of denouncing his friends, though he may be perfectly willing to bring about the conviction of any innocent man, who resists his demands, or against whom he has a grudge.

It is generally the informer who instigates the police to torture, assuring them of instant confession and disclosures of stolen property. It is his aim to tempt the police to all possible atrocities. By this means he increases his power over both the police and the public. By inducing a policeman to commit illegal acts in his presence, he prevents that officer from taking any future action against himself ; and, by making the police appear terrible, he renders it the more easy to trade upon the fears of the public ; for the timid and ignorant will submit to any demand rather than face the risk of police oppression, and all the horrors with which he as police spy is able to threaten them.

Since then an informer cannot be trusted to give true information against his friends after they have committed a crime, it becomes equally apparent that he can never be trusted to inform the police when crime is being planned. For by so doing he would gain nothing, but would debar himself from all further chance of obtaining money by blackmail. His object must always be to let crime occur, and then to make money by putting people in fear of being punished for

it. His desires are, therefore, diametrically opposed to those of the police. So even for the comparatively harmless purpose of obtaining such information as is required for the proper up-keep of registers, showing the daily movements of known criminals, the informer should not be trusted.

The use of informers should, therefore, under no circumstances be countenanced, and the question arises as to who will take their place. To this there can be but one reply the men of the highest integrity available, and at the same time the men most easily controlled. I can hear voiced the following objections: "How are such men to know when the criminals in a Sub-Inspector's jurisdiction are going to thieve?" The reply is that they need not know: and indeed are better if they do not know. All that is required for them is to give the Sub-Inspector the information by which he will know, and thus put him in a position to take all necessary precautions.

CHAPTER V.

POLICE ORGANISATION FOR THE PREVENTION OF CRIME.

The ordinary police station jurisdiction consists of a group of villages, and the Sub-Inspector in charge has the right of receiving, within this area, all the information required under sections 44 and 45 of the Criminal Procedure Code. Section 45 distinctly specifies that village officials and landholders must give him this information. To them, therefore, the Sub-Inspector should turn for that help, which will warn him that crime is being planned. For this purpose he should see that he also receives full information as to:—

- (1) The absence, with or without leave, of the bad characters of any village.
- (2) The arrival of strangers visiting such bad characters.
- (3) The arrival, within a village, of a known bad character of another locality.
- (4) The arrival, or departure of all beggars, wandering gangs, or strangers, who have

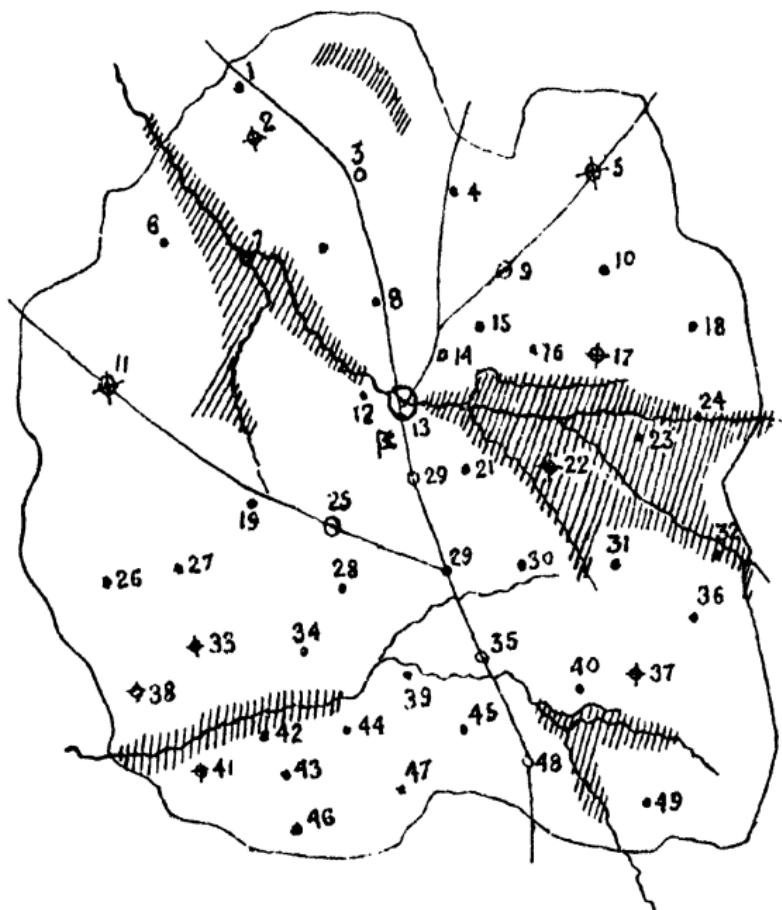
not given a satisfactory account of themselves.

(5) The loss of cattle, or poultry; or damage to standing or ripened crops.

There should be no difficulty in obtaining this extra information, for it is reasonable, and in no village would the imparting of it entail irksome or incessant reporting. Moreover, it may be taken for granted that in no ordinary Indian village could any of the above occurrences take place, without it coming to the knowledge of one or other of its officials.

A reference to the map of an imaginary police station circle will help to explain the above. The area shown includes some fifty villages, and an average distribution of water and jungle. It is about 20 miles across, and the police station is near the centre. There are two water holding nullahs bordered by jungle running across the map; and only the two or three main roads are shown. This is a fairly good representation of an ordinary police station area in the Deccan, and with modifications it would apply to any other part of India.

There are, besides the big village in which



Scale of Miles

0 1 2 3 4 5 6 7 8 9 10 11 12

- ☒ Police Station.
- Villages containing wealthy inhabitants.
- Other villages.
- ♦ Residence of known bad characters.
- Water holding nullahs.
- Roads.
- |||| Jungle.

the police station itself is situated, seven villages in which wealthy people reside; and there are eleven villages in which men previously convicted of crime against property live. Thus, of the fifty villages, some sixteen are of importance. Special attention also attaches to the stretches of jungle, for in these gangs of dakaits can find shelter and water; and cattle thieves can hide their cattle, being sure of fodder, water, and cover

Let us take, as an example, the detailed reports which would be received at this police station, were its jurisdiction visited by a gang of criminals intent on loot, and whose presence was unknown to the police or any official.

1st	January.	Village	1.	Two goats lost : probably taken by jackals.
2nd	"	"	2.	A man bathing : some one has stolen his dhoti.
3rd	"	"	3.	Three fowls, belonging to different people lost : taken probably by jackals.
"	"	"	4.	A goat lost.
4th	"	"	8.	Pigs have apparently entered a field and dug up potatoes.
"	"	"	9.	Two goats strayed.
5th	"	"	15.	A goat strayed from village, owner looking for it.
6th	"	"	14.	Do. Do.
"	"	"	16.	A calf is missing.
7th	"	"	22.	Bad character is absent.
"	"	"	17.	Bad character is absent.

None of these things are in themselves of any interest, but taken together they tell a tale of great importance. They indicate that in all likelihood some thieving persons have come down the road from village number one; have avoided all chance of being seen; have fed themselves by stealing all down the line of march; have avoided the police station; have sent for, and been joined by bad characters of villages 17 and 22; and are probably in the jungle between those two villages. They are bent on loot, for they have come slowly and secretly, which shows that they have been searching for the houses of wealthy people.

Such deductions are simple when once the information is received, and would naturally be followed by the Sub-Inspector sending constables, disguised perhaps as wood-cutters, into the jungle between villages 17 and 22, to search for the gang; to report on their strength, and whether the missing bad characters are with them. Had it not been for the above information, the gang might have hidden in this jungle for weeks without detection, and might

have successfully accomplished some large dakaiti. The police, however, by the receipt of these reports, would have been in a position to prevent this ; and have been able to fulfil their main, primary duty of protecting the public by preventing crime ; and this, as previously shown, is of incomparably greater importance than would have been the detection of the dakaiti had they allowed it to take place.

The same method of detection from full reports is clearly applicable to all premeditated crime against property, on the part of either habitual criminals themselves, or their associates.

A criminal, as a rule, must prospect and lay his plans carefully. He cannot work singly. He is usually illiterate, and, being unable to trust messages, must do all his business in person. Before he can commit a crime he must needs show unwonted energy, be absent unaccountably and often, be visited by unobtrusive friends, and thus give his village officials food for report. During this time he is dealing with preliminaries, and, although he may act with caution, yet his doings will not be characterised by that

extreme secrecy which he will exercise immediately after the crime is committed.

The report of his movements would coincide with similar reports from the villages in which the proposed associates reside, and comparison would indicate to the police not only that crime was being planned, but also who were planning it.

This process has been illustrated in the burglary case already discussed, and its application is even more obvious in dakaiti cases, where larger numbers of men are concerned, and applies, more or less, to all cases of deliberate robbery.

A special form of crime, which usually baffles the police, is cattle thieving. It is nearly always the work of professionals, and the difficulty in detection is mainly the result of delay, which permits the thieves to gain a long start. A man misses a bullock ; he thinks it has strayed, and, although the village headman would probably know of his loss, the matter may not be reported to the police for a day or two. When the police eventually do hear of it, they, again, may wait to make sure that it is not a case of straying. By this time the thief, although his rate of

march must necessarily be slow, has succeeded in putting many miles between himself and pursuit.

Now, had the coincident absence of cattle thieves from their villages been correctly reported, the so-called "straying" would at once have appeared in a very different light; and immediate action would have probably resulted in the recovery of the bullocks.

Other crimes with which the police are often concerned are murders, riots, coining, receiving stolen property, and so on. Let us take the first class, and we shall see that with it, as with all the others, the police would generally find their work infinitely simplified, if they contrived to induce and maintain proper village reporting.

There are four general causes for pre-meditated murder:—Revenge, jealousy, gain, and plunder. Let us take "murder out of revenge," and consider what occurs before its perpetration.

In order that a man shall be driven to such a state of mind that, even at the risk of his own life, he intends to murder another out of revenge, it is clear that his intended victim must have done him

some great, or imagined injury. This being so, it is hardly likely that village gossips will not know of, and talk of it. Such talk might well reach the ears of the village headman who should inform the Sub-Inspector of his police station. The Sub-Inspector, seeing cause to fear a breach of the peace should these men meet, would go at once and enquire into the cause ; and after enquiry, have both bound down to keep the peace. His doing so would have a double effect ; first it would put him in full possession of all the facts, because the aggrieved man's friends would be delighted to tell how exasperating the other man has been, and what he has done ; while the other would be equally anxious to excuse himself, and would tell his history in order to gain the protection of the police. The Sub-Inspector might then be able to arbitrate, and could probably settle the matter himself.

Any police officer, who has had much direct and personal experience of criminal work, will realise what a surprising proportion of murders, committed in villages from motives of revenge or jealousy, would have admitted of this simple prevention.

If, however, all attempts to prevent violence fail, and the murder is committed, there would probably be no difficulty in proving the case. The Magistrate who tries it would then have full details, and would thus be helped towards arriving at a fair judgment.

Now, if no information had been submitted to the Sub-Inspector, many difficulties would arise:—

(1) The headman might do his best to hush up the case, so as to hide his neglect in not making a timely report of the original dispute; and he would then pretend astonishment at the murder, and ignorance of the likely assassin.

(2) The friends of the murderer would hide all knowledge of the dispute, for they would argue with themselves that the murder had been done, that the victim deserved to die, and why should they help to hang their friend?

(3) The friends of the victim would almost certainly then pour out a copious story of the murderer's misdoings, and keep back any extenuating circumstances. The police would have to grope in the dark, half the

village would take one side and half the other, so that a solution of a satisfactory nature would be hard to find. Finally, the case would go to court in an unsatisfactory condition, and the administration of proper justice, tempered with reasonable mercy, would be practically impossible, for the truth could never be arrived at with certainty.

In the event of the murder being perpetrated by relatives or heirs for gain, beyond a previous knowledge of the bad character of the murderer (for he can hardly be a man of consistently good character), there would usually be little or no previous intimation, unless a climax in debt had been reached, and there was fear of disinheritance. These facts might be known and reported, and, if so, would simplify matters; but ordinarily the absence of any previous report, from which the crime might have been anticipated, would denote fairly conclusively that the murder was one for the benefit of some family member; and the investigator, being prepared for this eventuality, would find his work simplified.

Murder for plunder can be classed under the headings of dakaiti or robbery.

With "riot," it is clearly essential to foresee, and prevent; and the police must possess full knowledge of all circumstances which might, by any chance, lead to disturbances.

For discovering the presence of Chappabunds, Baorias, and other coiners, reports of the arrival of religious or other mendicants, and coincident discovery of spurious coin in circulation, would be naturally connected together; visits of previously unsuspected persons to known receivers of stolen property, during a series of burglaries, would lead to obvious deductions.

And thus further consideration would show that practically all forms of crime lend themselves to this system of prevention. In all cases the Sub-Inspector could be given information that would put him on the alert, and make it possible for him to anticipate and prevent crime; or, where prevention was impossible, to know so much about the perpetrators and their plans before its commission, that he would find detection comparatively simple.

The great charm this system has over all others, which depend on the cleverness of

the detective after a crime has been committed, is that it alone allows the policeman to make practical use of the great power for good which his position affords him. For instance, it has been shown how sometimes a policeman may prevent a murder and so perhaps save two lives.

Again, in the burglary case described in a preceding chapter, had the Sub-Inspector had full information he could have deduced that the three bad characters had planned to rob the guests of the Bunia in Linga Dher's village. Had he then called up the three and warned them that their plan was known to him, he would almost certainly have prevented the burglary, and also thereby have gained a treble success: he would have prevented the crime; he would have shaken the confidence in each other of the three burglars, for each would naturally think that one of the other two had turned traitor; and he would have made it possible for him to threaten that next time he might let them steal and then catch them red-handed. This threat would no longer appear an empty boast, and would probably now have an excellent effect. A very few instances of

successful action on these lines would teach the thieves that the police were too much for them, and a great stride would have been made towards their eventual reformation.

All other systems of police work have to depend on the very doubtful effect of jail discipline to achieve similar results.

CHAPTER VI.

VILLAGE CO-OPERATION ESSENTIAL.

It is a common misconception that the village officials are necessarily antagonistic to the police; and that, as a consequence, it is a hopeless task for the police to attempt to secure their co-operation. Yet it is clear that the whole success of the scheme for the prevention of crime depends on the efficiency of that co-operation. As a rule, village officials are selected because they have hereditary claims to positions of importance in their village; or because they are believed to be eminently trustworthy, and men in whom the villagers will have confidence. It is absurd to assume that the interests of these men as a class are antagonistic to the interests of law and order. Therefore, there can be no *prima facie* reason why, if the police are themselves honestly working for the public weal, they should be obstructed by honest

village officials. Moreover, in the generality of Indian villages those who possess most which is worth stealing, are these same officials. They, therefore, most need protection. If they believed that protection lay with the police, they would naturally ally themselves to the police. And once they learned that protection depended on co-operation, and that co-operation entailed no very irksome duty, they would as a rule gladly render any help for which they might be asked.

Then, again, admitting for the sake of argument that 25 per cent of village officials are intentionally obstructive, it would still be possible to get over the difficulty provided that the other 75 per cent were honest, and inclined to assist the police. First, because the work desired of the delinquents can be done to some extent by honest landholders; and, secondly, because the help accorded by any single village is only one check out of many, by which the police can know what is going on. For instance, a bad character is as conclusively proved absent, if he is seen in a village remote from his home, as if he is missed in his own village. So,

through reports from surrounding villages, practically every omission to report on the part of a particular village official would become known, and in time complaints of such omissions, by their frequency, would lead to that official's dismissal. One or two exemplary punishments would have a salutary effect, and with the removal of all persistent obstructionists, only good men would remain. Thus, though the police may have trouble at first, the fault will lie with them if their difficulties in securing universal co-operation are not eventually overcome in a great measure.

Once this system is fairly established, the Sub-Inspector would find that days, which now pass in dull monotony, would each bring some report of interest. He would recognise that the registers, which he now detests, are really no more than note-books for his use, and that each one is designed to ensure that reports received shall find entry in the most convenient form for daily reference and future use. Village registers, and those dealing with bad characters, criminal tribes, and wandering gangs are all interleaved with blank pages, for the reception

of notes, as reports come in. Where information has to be imparted to other police officers, counter-foiled registers are supplied. In fact everything is done which experience and thought can contrive to simplify the working of this system.

The Sub-Inspector by adopting this system will find that he will have many opportunities of doing great kindnesses, and of so developing his better nature. He will find that detection begins to take a second place in his thoughts, and that the prevention of crime and the helping of criminals to better their lives, regain their proper place as his first duties. The desire to hush up crime, or even to minimise it, will cease to exist ; for having his jurisdiction in complete control, though crime may occur and prevention may have been impossible, detection will generally be easy.

It is well known that experienced criminals seldom ply their craft within the limits of their own police jurisdiction. Therefore, if this system is to be perfected, the co-operation and mutual confidence, so absolutely indispensable between the police and public, must exist to an equal extent between the

police of one jurisdiction, and those of all others ; and must extend through all the different grades of police officers, who form the chain connecting the police throughout India.

The organisation necessary for this, as already shown, exists. It only wants to be used with intelligence. Unselfish co-operation among the police would, to a certain extent, make it a matter of indifference where a criminal worked. Wherever he went he would find the same vigilance ; and the further afield he wandered, the more foreign would be his appearance and language, and the more certainly would he attract the attention of the local police.

The system may not work as simply as depicted ; criminals are cunning, and it is their business to frustrate every attempt at their control. But the system, if perfectly carried out, would be perfectly successful. Its effects would be too far reaching for any individual, or even group of individuals, to prevail against it. Therefore, no effort expended in trying to bring it to perfection will be labour lost. It is a system which, though often forgotten, is not new. Its aims

have been those of sound policemen of all generations, and the whole organisation of the police in India is based on the supposition that it exists.

CHAPTER VIII.

THE TREATMENT OF WITNESSES.

It not infrequently happens that a police officer is deputed to investigate a case which has been mismanaged, either through the dishonesty or incapacity of the officer within whose jurisdiction it has occurred. The first difficulty he will meet with in such a case will be the distrust of the complainant who will wonder what information to give and what to withhold.

An investigator should remember that, with perseverance, he *can* get at the truth because the complainant must want the truth known; for otherwise he would not have appealed to the police in the first instance.

Further, the policeman should, from experience, be a skilled hand at cross-examination; whilst the complainant has probably never been cross-examined before.

As soon as the investigator is satisfied that he has arrived at the main part of the truth, he should easily be able to persuade the complainant to make a full and true

statement. He can then continue his investigation, and by the end of the day, it will probably be found that the problem, originally set, does not exist at all ; but was merely the outcome of misrepresentation, misunderstanding, lazy work, and a bad start.

With witnesses other than the complainant, the above applies to a greater or less degree. It is often said that there is nothing so difficult as to extract the truth from a witness in India. This is a fallacy. The first impulse of a man is usually to tell the truth, and the only influences likely to alter this impulse are fear or cupidity. Combat these two influences successfully, and all difficulty disappears.

As a rule a man becomes a witness by accident, and it seldom occurs that he has the experience more than once in his lifetime. Therefore, the chances are that a witness is a very ordinary individual, and in examining him there is no question of dealing with one of a special class. It is simply a matter of talking with a man or woman constituted like, and with the same nervous system as every one else.

If an officer investigating a case bears this in mind, he will find his work greatly simplified. He will also understand why he is invariably advised to go to his would-be witnesses, rather than summon them to him; for he will see that by so doing he gives their nervous system less time to work itself into a state of terrified excitement; and by being first in the field, he reduces the chances of the witness being tampered with by those who would bribe him into silence.

A witness called for the first time to take part in a legal proceeding will probably be nervous. He will be under the impression that he is being asked to participate in proceedings of a most complicated nature; that he is surrounded by legal pitfalls, and in imminent peril of doing, through inexperience, the wrong thing, and so coming to grief. This natural nervousness, if mismanaged, may rapidly degenerate into fear, and fear, as has been said, is an influence which works against truth.

The policeman knows that there is nothing to fear; that there are no complications; that no experience is needed; that if the witness tells the truth and nothing else,

he will have no real trouble. Half an hour expended in making him understand this is half an hour well spent. It is true that to the investigator there is nothing so tedious as the endless necessity of repeating the same thing to witness after witness, yet the repetition is really needed. Each witness is a novice, and each requires the same gentle, patient treatment to help him to overcome his fear. It is the almost uniform failure of the police to attend to this very important part of investigation duty, which has led to the classification of witnesses as a species of their own.

The second difficulty, that of overcoming the cupidity of a witness, is not one uniformly met with, but it does occasionally occur; therefore, since the investigator cannot know whether this difficulty will present itself or not, until he has learned the character of his witness, he should invariably act as if it were there. The witness should be examined before he learns the value of his knowledge, and is thus tempted to refuse to part with it. If the witness be summoned, he is at once given time for cogitation, which may lead to the inspiration that the truth until divulged may be of value. Such a consider-

ation will prevent any willing disclosure, until the witness has satisfied himself that there is nothing to be made from those interested in hiding the truth. In nearly every case there must be a guilty person who is willing to make almost any sacrifice to hide his guilt. Therefore, any witness with the power of withholding information, which if divulged would make his guilt apparent, is fairly certain to find in the accused a customer for his silence. Moreover, the greater the importance of the evidence wanted, the higher will be its value, and consequently the more probable its loss to the police.

It is often said that it does not matter what the police do with their witnesses, for each knows the value of his evidence, and tells just as much as he likes and no more.

A little thought will show that the experience which leads to such a conclusion must have been gained in the investigation of cases of offences against the public tranquility, when party or religious feeling is involved, and where the only evidence available has been that of interested eye-witnesses. In such cases the truth of the above contention may be admitted. But in cases of offences

against property, which are the work of habitual criminals, and in which detective interests are involved, any difficulty in the management of witnesses is, as a rule, the outcome of laziness.

In such cases there are three groups of witnesses :—

- (1) the witnesses to prove that a crime has been committed ;
- (2) accidental witnesses ; and
- (3) witnesses whose testimony forms the chain of evidence against the perpetrators of the crime.

Laxity on the part of an investigating officer in the examination of the first group is likely to lead to unnecessary trouble in the future. The evidence of these witnesses should be recorded very carefully and with as little delay as possible, while true facts are fresh in their memory. During this examination the childish nature of the average uneducated villager should be remembered, and sympathetic interest shown for all he has to say ; exaggerations should be treated leniently, but common sense should be brought to bear on each statement made, and the truth extracted.

If the initial enquiry be delayed, trouble is certain to result. For the time at least each witness will be a hero in his village, and he will have to repeat his story of what he saw or heard many times ; each time he probably will enlarge a little on what he actually saw, adding what he thinks he might have seen, and eventually he will hardly know what is truth and what is fiction. The longer the examination be delayed, the greater will be the difficulty in disentangling the truth.

It is always well to examine such a witness alone, and in a place sufficiently remote to convince him that his fellow villagers are unable to hear what he is saying ; otherwise he is likely to repeat all he has told them, for fear that they will detect and resent the exaggerations made to them. If alone he will be more easily persuaded to keep to the truth. Moreover, should the witness realise that exaggerations, which are unimportant when told to fellow villagers, become serious when repeated in an official enquiry, he would leave out of his statement portions of what he has said before, for he knows them to be untrue. If other villagers are present,

some one is almost sure to prompt him with the story as told to them, and he will be forced either into a distasteful admission of untruthfulness, or into a repetition of his previous indiscretion.

The investigator would do well to bear these little matters in mind, remembering that it is his business to get at the truth, and not to cause his witnesses distress. He must recollect that accuracy in the depositions of his first group of witnesses is most important. They are witnesses with whom the defence will seldom tamper. The accused will admit that the crime for which he is being tried may have occurred, and even that it may have occurred in the way described. His contention will be that he did not commit it, and he will therefore pretend that evidence of the commission of the crime has no concern with him. Inaccuracies will therefore go unchallenged. And, under the plausible argument that witnesses to the commission of the crime could have no interest in lying, these inaccuracies would be accepted as true, and used to discredit the statements by the third group of witnesses who will always be accused of being interested : in their evidence,

therefore, there must not be the least suspicion of untruth.

The second group, accidental witnesses, is composed of eye-witnesses, and people who have accidentally overheard conversations, and so on.

A great number of investigating officers take great pains to produce this class of witness, and attach much importance to their evidence. They are encouraged to this by those lazy and incompetent Magistrates, who convict on the testimony of two eye-witnesses, but will not take the trouble to see if cases in which such witnesses do not appear are otherwise conclusively proved or not. The evidence of two eye-witnesses is often said to be conclusive proof, and it certainly does appear to give a touch of finality to a case circumstantially proved. To the thoughtful mind such witnesses are dangerous and untrustworthy; they are always fortuitous, and, therefore, in thorough police work should be unnecessary. Their evidence should never be accepted unless fully corroborated, and then only if they can satisfactorily show how they happened to be present at the crime, and how they were able to remain

undetected by criminals who are generally clever enough to avoid working in the presence of on-lookers. Careful consideration should be given to their behaviour after the criminals had left them free to act as they pleased. As a rule the eye-witness is of much the same stamp as the informer, and almost invariably appears in bad police work, but is very seldom come upon in true police investigation.

It is the third group of witnesses (those whose testimony forms the chain of evidence against the accused person) on whose integrity so much depends.

In securing their honest co-operation no trouble should be thought excessive. If properly treated they will almost invariably tell the truth, and having told it will adhere to it; for they are usually honest and independent men: and in addition they will know that the investigator has full knowledge of what they can tell, and, therefore, deception would appear futile. Further, they will not realise the value of their testimony; for the evidence each gives is generally such that in itself it appears to have no value, forming as it does only a single link in a chain.

Until they grasp the fact that the strength of the chain depends on the strength of its weakest link, they will not understand that they are in a position to materially harm the case. They eventually may be made to understand this by an unscrupulous defence lawyer, but until the idea be put into their heads it will not occur to them. It is in the eventuality of such an attempt at winning over a witness that the police will reap the reward of patient and tactful work ; for on such occasions the most insidious and most common argument used to induce a witness to perjure himself, is that the investigating officer has been bought over, and has promised to spoil the case in court; and that he will be very angry if the witness does not take advice, and retract all previous statements.

If the witness has learned to dread any interview with the investigator, he will be inclined to believe anything of him, and may be persuaded. If, on the other hand, all his dealings with the investigator have led to full trust and confidence, the witness will probably suspect foul play. He would then go at once to his police officer, repeat what

he has been told, and ask for instruction. He would thus be saved from committing perjury, and from helping to cause a miscarriage of justice.

CHAPTER VIII.

TREATMENT OF ACCUSED PERSONS.

A police officer investigating crime cannot overestimate the importance of being strictly fair to the culprit when he has been discovered. He is obliged to prosecute him, but on no account should he magnify the enormity of the crime which has been committed.

For instance, let it be supposed that a man has caused grievous hurt. The complainant has reported that he has had his earring and pugree stolen by his assailant. During investigation it has transpired that accused and complainant were on bad terms. The accused waylaid the complainant and beat him. In so doing he dislodged the earring, and snatched off the pugree, to bare the victim's head. In his excitement he forgot to throw down the pugree, but got home to find it still in his hand.

Such a case superficially considered may be plausibly classed under the robbery

sections; for the accused had caused the complainant hurt while dishonestly taking movable property out of his possession. But he had not committed the hurt "in order to such taking." His desire was to cause hurt to the complainant, and not to dislodge the earring, or to steal the pugree.

If the police having learned the facts try to prosecute the accused for robbery, in order to secure a conviction in a serious case, they will, besides attempting to do the accused a very serious injury, get themselves into great difficulties. Respectable witnesses, who know the accused to be a violent man, will side with the law if he is to be punished for violence; but they know he is no robber, and if he be accused of robbery, they will object to giving evidence which, though true, will be used wrongfully. They will possibly not realise that what the investigator says is immaterial, or understand that the courts will mete out justice, but will reasonably conclude that the police ought to know, and that the correct thing is being done. They will, however, resent the idea of helping in the perpetration of what they believe to be a legal injustice, and probably

refuse to give evidence at all. The prosecution would fail, and the complainant would be justified in feeling that there was no protection to be had from the police.

Another form that want of consideration for the claims of the accused often takes, is the indiscriminate attachment of property during the investigation of theft cases, under the excuse that it is of a suspicious nature.

Let us assume that the officials and inhabitants of a certain village have given information to the police in connection with a burglary, and that this has led to the arrest of one of their fellow villagers. In the course of their enquiry, the police have to search this man's house. The villagers know all about him, his wife, and his children: they also know precisely what he possesses. They know he is a thief, and realise that the police are right to arrest him and to take away the things he has stolen. The wife and children, however, have their full sympathy, and even the thief has the claim on them of village brotherhood. As a result any evidence that they may be induced to furnish against him is grudgingly given.

If the police leave spare clothing, cooking pots, and food, which are known to belong to the family, and restrict themselves carefully to the attachment of the real stolen property, and if they treat the unfortunate family with consideration, they can count on receiving assistance just as surely as they may be certain of opposition, should they attach household effects indiscriminately. If property which is known to have been in the family for years is swept away as suspicious, with it goes all the sympathy of the village community. They will say "the man was a thief certainly, but the police are far worse. What matter if he go unpunished?" From this moment plans to circumvent the police will probably be set on foot.

In all such cases the old cry will be heard, "Witnesses will not tell the truth: every one is against the police." In reality this is not so; no one is against the police: but all are against oppression. The sense of public justice may be but slightly developed among the millions in India, but their sense of personal oppression is strong.

Beyond all this, and beyond the obvious fact that it is only just that an accused person should be treated fairly, the police have to remember that their connection with a criminal is not finally severed by his being sent to jail. His punishment is not an end, but only a means towards his eventual reformation. The police are the instrument through which this end is to be gained. No man can be reformed by those he does not respect and trust. So the police, if they wish to reform him, have to gain the respect and trust of the man whose punishment they secure. They can only do this by being scrupulously honest towards him. The police are rightly freed from all responsibility in the matter of his punishment, as its infliction might embitter the criminal against them. Punishment is the work of the courts; but the police are responsible that truth, the whole truth, and nothing but the truth, is told for the prosecution in court.

Should the police encompass this, whatever be the result of the case, they will retain the respect and trust, not only of a section of the public with whom they may never have to work again, but of the man

whom they have prosecuted, with whom they are certain to have to do in future. They will then, by such prosecution, in no way impede the gaining of their ultimate object, his final reformation.

CHAPTER IX.

CASE DIARIES.

We have now been carefully through the stages of a police enquiry. It has been shown that the work connected with that enquiry should begin directly the offender takes his first step towards the commission of an offence ; and that the police should either prevent the crime, or, failing that, detect it.

If prevention is secured, the work which has been begun by the police can be concluded by them. On the other hand, if the police fail in prevention, and have to resort to detection, the finishing of their work is beyond their power. It is completed in a court of justice ; and the Magistrate or Judge presiding adds the finishing touch.

It may be argued that work conducted on the lines advocated would seldom end in conviction, since few Magistrates would give the police credit for such systematic care.

Such an argument is of course worthless, for any who use it would have to admit that they have never put it to the test. At the same time, if a policeman entered court with a case, and expected to secure a conviction simply on his own word that his enquiry had been faithfully conducted, then he probably would not, and certainly should not, obtain it. A trying Magistrate has no option; he must not convict on what he thinks is likely to be the truth, but on what is proved to be the truth. It is therefore the duty of the police, not only to act with scrupulous honesty, but also to give the Magistrate the means of satisfying himself that they have so acted.

To enable a Magistrate to decide this, and to give the police a fair chance of helping him to do so, the law has directed that a police officer investigating a case "shall day by day enter his proceedings in the investigation in a diary, setting forth the time at which information reached him, the time at which he began and closed his investigation, the place or places visited by him, and a statement of the circumstances ascertained through his investigation"—*vide* section

172, Criminal Procedure Code. By the second part of the same section it is ordained that the court trying a case may call for such diaries to aid in such trial.

Investigating officers usually look upon police diaries as merely a weapon for the "defence" against the police. They, therefore, only write them under compulsion, taking infinite pains to word them so that they can eventually fit either the exigencies of a case declared false, or of a case prosecuted. Obviously, such a diary would be just the weapon on which an astute defence barrister would seize. The police might twist its meaning into a justification of the prosecution, but the "defence", with equal appearance of truth, would show that it conclusively proved that the case was false from the beginning.

If, on the other hand, a policeman has been working on the lines we have indicated, and has written up his diary simultaneously with the investigation, he has nothing to lose and probably much to gain if his diary be called for in court. In this event no one would be more disconcerted than the barrister for the defence. His first astonishment would

be to find that the prosecution raised no objection to its production ; and the second to find that by producing it he had helped the prosecution, and that the more he probed its veracity, the more he assisted the police. The case diary then, instead of being a weapon for the defence, justifies its utility in helping forward the ends of justice, and vindicates the wisdom of the law-makers who introduced it. It is not the case diary which has hitherto been in fault, but the wrong uses to which it has been put. A true case diary strengthens the position of the prosecuting officer. He can gain all necessary information from it; and with it in his possession the need of endless consultations with the investigating officer disappears ; and the presence of the latter in court becomes needless.

Further, should the investigating officer be transferred, have an accident, or wish to take leave, his pending cases do not embarrass him, the diaries being a sufficient guide for his successor.

Let us suppose such a thing possible as a Magistrate being dishonest, acquitting guilty persons for a personal gain, and falsely

laying the blame on the police. The investigator need only apply for a full enquiry and hand over his case diaries containing references to all reports received and every action taken. Each report can be proved beyond a doubt by a reference to the copies either in the village diaries, or police registers and diaries, and the copies already safely recorded in the Inspector's and Superintendent's offices.

Nothing concocted could make headway against such overwhelming documentary evidence. The accused Sub-Inspector, who might have found difficulty in clearing himself, had his diaries not been in order, would be perfectly safe; and could treat such charges with indifference.

Precisely the same would apply, if after a Sub-Inspector's transfer, those who had been brought to book by his work, tried to damage his character by submitting plausible complaints, based on his alleged oppressive conduct; the delay in preferring the charge being explained by the plea that during his tenure of office no one had dared to complain. Such a charge would naturally result in calling for the Sub-Inspector's case

diaries. They might be a year or more old, but would be as useful as on the day they were written.

As his diaries are found to be either true or false, so will the slandered officer be judged. His work would be closely scrutinised and the results reported to the head of the Department, who would thus learn that in the abused Sub-Inspector he had a good and reliable officer, who understood his work, and did it with tact, care, and honesty.

CHAPTER X.

POLICE SURVEILLANCE.

In all countries it is necessary to subject certain individuals to what is termed "Police Surveillance." These may be persons who are merely suspected of having criminal intentions, or they may be actually convicted persons who have completed their terms of imprisonment.

The popular belief is that surveillance is unfair ; that to be known as a police suspect is degrading, and must gravely hamper a man should he desire to reform. That surveillance is thus misunderstood is mainly due to the manner in which it is now conducted by the average police officer ; and because the benefit it confers on the suspect himself has been entirely forgotten.

"Police Surveillance" must be effective, or it is inexcusable ; it must be conducted with tact, and with such privacy as is compatible with efficiency, or it defeats its own object ; and its aim should always be the reformation of the suspect.

A convict who is anxious to redeem his previous record, will experience his greatest difficulties immediately on his release from prison. A man already stamped as a thief is certain to be suspected should theft occur in his neighbourhood. His presence may, therefore, afford opportunity to others to commit theft, believing that they will not be suspected. These may be unknown to the public as thieves ; and even their nearest relatives may not suspect them of such a tendency.

An outbreak of theft or burglary may thus coincide with the return from jail of a convict, and unless the police keep a careful watch over him, he will get the credit of each crime committed. The very public, who cry out at the hardship of police surveillance, will be the first to denounce him unheard ; and the real culprit will loudly encourage such denunciation.

The same applies to wandering tribesmen. Their arrival is often the signal for activity on the part of local criminals, for these know that suspicion will attach to doubtful strangers, if such are in the neighbourhood when any crime is committed. On the other hand,

members of criminal tribes seldom commit offences within the limits of the village in which they halt. They wander through the surrounding country, on the plea of begging, and steal where they conveniently can. If the presence of strangers near a village in which crime occurs is unsuspected, local bad characters will undeservedly get the credit for their depredations ; therefore, when wandering gangs are passing through any locality, the police, while watching the newcomers closely, should redouble their supervision of the local bad characters ; the inhabitants of adjacent villages should be warned to be on the alert ; and information should be given to bordering police stations. Such precautions will increase general vigilance, and so help the police to decide where suspicion truly points.

Many of the most dangerous criminal tribes do very little petty crime. They behave in the most circumspect manner while wandering. Their object is simply to prospect, and at the same time to attract as little notice as possible. Having selected two or three "cribs," they leave the district in which these are situated, then double

back, marching up a parallel line through a bordering district. They still maintain their irreproachable character, and from some convenient halting place, they surreptitiously revisit and loot the places marked down on their previous journey. In such cases effective surveillance is the only means by which local bad characters are protected from unjust suspicion.

Surveillance, therefore, is only objectionable in its abuse. When conscientiously and effectively performed it shields the innocent from suspicion. It alone can save them the humiliation of a police enquiry. By a system of elimination, it may also lead the police to the discovery of real, though unexpected, offenders. If a convict is really attempting to lead a new life, and is living honestly, it will help him; if he is inclined to revert to his former habits, it will probably prevent him from doing so; and if nothing will reform him, and he persists in his criminal career, it will lead to his ready detection, and thus to the protection of the public. It is both beneficial and protective, and is one of the strongest weapons for good now in the hands of the police.

Police surveillance usually means that a suspect is visited occasionally at night; he is forbidden to leave his village without the sanction of his village headman; and is examined regarding each crime as it is committed in the neighbourhood of his village. Such surveillance is as useless as it is objectionable and annoying.

True police surveillance is an attempt on the part of the police, to befriend and aid those who have committed, and have been punished for crime against property; or those who are found likely to commit such crime. In India, police surveillance has taken the place of those private societies for the reclamation of criminals, which exist in most other civilised countries. For its fulfilment, it is essential that the police should have intimate knowledge of the criminal's private life, and of his means and capabilities, with a view to induce him to live by honest work. If he has lands and is a cultivator, the police should make sure that the produce of those fields is sufficient for the support of himself and his family. If he is a labourer, they should see that he has sufficient work, and discourage long spells of idleness.

To protect himself, the released convict is advised to report quietly to his headman if he wishes to leave his village, explaining where he is going, and the object of his journey. He is warned that failure to do so will give his absence a clandestine aspect, and may create suspicion against him, should any ccincident crime occur.

To the same end his friends and relations are asked to give information should he leave secretly. They should have confidence that such reporting would lead to his being warned, and probably save him rather than lead to his undoing.

In fact the police should take steps to learn everything about the bad character and should do everything in their power to watch over and help him to live honestly and to induce him to give up evil friends and evil tendencies. With such objects at heart, the Sub-Inspector will find willing co-operation in the man's relations and friends. He will find his own share in this duty the most pleasant part of his police life, and that the better he does it the less will he have to do with crime and detection, and the greater will be the respect in which he will be held by his superiors and the public.

CHAPTER XI.

STOLEN PROPERTY AND ITS RECEIVERS.

Perhaps the most obvious failure on the part of the police in India is in their inability to recover property which has been stolen. With apparent reason, this failure invariably excites adverse comment in the annual criticism on each "Police Administration Report." The blame is eventually laid at the door of the investigating officers, or Sub-Inspectors in charge of police stations.

It would seem that in India the recovery of stolen property should be easy. The loot usually obtained by a thief consists of gold and silver ornaments, for it is in this form that wealth is hoarded. These ornaments vary in shape according to the caste or creed of the person who owns them, and can easily be identified by him. The difficulty a thief would experience in selling such ornaments is obvious. Except for trade purposes, no one would purchase ornaments

which had been made for people of another caste ; the thief, therefore, would be obliged to sell to regular traders, or to persons of the same caste as his victim. The fact of his offering for sale ornaments worn by people of a caste other than his own would excite curiosity ; and such an offer made near the scene of recent burglary or dakaiti would almost certainly create suspicion, and lead to a report being made to the police.

The difficulty in selling stolen property has been met by professional receivers, and these have really been the cause of the embarrassment of the police.

The receiver is indispensable, and is thus in a position to dictate his own terms, and so to make "receiving" a very lucrative business. He usually adopts some ostensible profession or trade, and so protects himself against public suspicion. He befriends convicts just released from jail, lends them money, and helps them to evade police surveillance. He then gives them introductions and shelter in villages where they are unknown, and thus establishes them as respectable members of society. All this he does on the understanding that when again able to commit

crime they will sell their loot to him. He introduces them to active criminal bodies, and puts pressure on them to begin work and to repay the money which he has lent them. The result is that he is enabled to purchase all loot at about half its value.

Practically all stolen property thus finds its way into the hands of these professionals, and the failure of the police to recover it is generally due to their being outwitted by receivers. This defeat, however, is insignificant compared with the failure of the police to combat the evil influence which receivers exercise over their clients, for they work in direct opposition to police interest, in that they actively oppose all work of reformation by forcing to commit crime those who might, if untampered with, have been induced to adopt an honest life. Therefore, the suppression of receivers is imperative.

A receiver can be discovered by deductions made from the observation of known bad characters, and a careful watch will in time disclose his whole clientele; but his suppression is no easy matter, for a successful receiver is always rich, experienced, and resourceful; he is sure to be learned in the

art of subterfuge; practised in that suavity of manner and speech which is calculated to disarm suspicion; and well versed in the weaknesses of human nature. To put a Sub-Inspector unguided against such a man is to expose that Sub-Inspector to many difficulties and to grave temptations. The Superintendent himself should take such work in hand, he should lay his plans thoughtfully, and have them carried out under his most careful supervision. It is hardly possible, and probably unnecessary to suggest any particular line of action to be adopted, but the following points are worth bearing in mind.

Firstly, the thing every schemer most fails to comprehend, or judge at its true value, is straightforwardness. This is not in his composition, therefore under no circumstances can he put himself into the train of thought adopted by an antagonist who is guided by it, and so will be unable to anticipate correctly what the next move of such an opponent will be.

Secondly, by a queer freak of Nature, the one thing to which such men cling at all costs is the desire to be believed eminently

honest and respectable by the social community immediately above the rank to which they have climbed. Herein lie his weak points.

A receiver may successfully outwit the Superintendent, but no such success can have any final result, and every contest won or lost must weaken the receiver, and give experience to the policeman. On the other hand, the first victory of the policeman is the final defeat of the receiver. The contest should not cease till this has occurred.

If a Superintendent bears these points in mind he should have little difficulty, after locating his more dangerous receivers, in reducing them to impotence. With increasing success he will find that the recovery of stolen property no longer presents the old unsurmountable difficulties, and that he is greatly advancing his work of preventing crime against property, for automatically with the removal of receivers serious theft will become comparatively rare.

CHAPTER XII.

THE DISTRICT SUPERINTENDENT.

The ideals for which a Superintendent should strive are that his force should have complete confidence in him ; that he himself should have complete control over the force ; and that the public should recognise him as a strong and sympathetic friend and protector.

Confidence comes first, for without it complete control, which implies guidance, is impossible. Directly the control is complete and the guidance is in the right direction, the third condition follows. For the recognition of such control engenders in the public mind confident belief in the controlling officer's knowledge of its needs, and sympathy with its desires.

The confidence which a force places in its Superintendent is in direct proportion to the care he devotes to its welfare. Each member of the force should feel that his prospects are safe in the hands of his superior ; that the claims of the force are not forgotten ;

that the tone of the force is the care of the Superintendent ; and that the policy of the administration is fixed, and capable of standing the sharpest criticism.

As regards the first point nothing is more detrimental to a man's work than for him to feel that he is obliged to keep one eye perpetually on his own interests. Nothing is so disheartening to a man who has given his whole time, thought, and energy to his duty, than to find that he has been forgotten and that some other man has been advanced, who has concentrated all his energies on being perpetually in evidence before his superiors. A policeman who is driven to take up his duties with a view to self-advertisement is doomed to failure. Self-advertisement leads firstly to the placing of detection before prevention ; and then very probably to the use of evil practices to enhance the brilliance of each so-called detective success. It too often occurs that apparently successful detection, resulting in conviction, leads to rewards and promotion ; while successful prevention, though of far greater value, is left to be its own reward ; for, being work of an essentially unostentatious nature, its

value is not recognised by superficial supervisors. A thoughtful consideration of this point alone will indicate the responsibility of each Superintendent, and the enormous task entailed by the true acceptance of that responsibility.

After its careful recruitment and attention to the personal comforts of its members, the main duties of a Superintendent towards his force are :—

- (1) scrupulous justice in the matter of promotions and rewards ;
- (2) judicious fairness in the matter of punishment ;
- (3) the careful training of its members ; and
- (4) a just and full appreciation of their work.

His duties to the public are: (1) consideration for their needs ; and (2) a full appreciation of his position as their servant and representative.

As regards his duties towards the force under him, a Superintendent would be wise to adopt distinct rules, either his own, if none previously existed, or those instituted by his predecessors in office. These rules

should never be relaxed except by the Superintendent's own order. This ensures that every man is treated alike, and knows what to expect from the time of his enlistment.

The awarding of promotion is often the cause of much discontent and loss of confidence. The points which affect promotion are character, ability, education and length of service. In Provinces which have adopted the suggestions of the Police Commission, the difficulty as far as constables are concerned has been practically overcome ; but there are places where the grade system still exists, and where at times great injustice is unintentionally done. In such Provinces rules should be instituted which provide for the rapid advancement of men of ability and education, and at the same time secure an even flow of promotion among those who are never likely to rise above the rank of constable.

In the higher grades selection must of necessity rule the bulk of promotions but here again those in authority should be warned against promoting for isolated pieces of good work. To reward one man at the expense of others who are equally deserving

is unjust. His successful conduct of a case is no proof that all others would have failed. His promotion, therefore, over their heads for its performance is often unfair.

Punishments are unfortunately often necessary ; but more often the required result could have been attained by preventing the error which necessitated punishment. There is no greater sign of weak administration than the recurrence of a long punishment list. It almost invariably denotes a weak and lazy Superintendent. A good officer who follows an incompetent one, and finds himself in charge of a force which has lost all sense of discipline, may at first have to resort to severe and constant punishments. If, however, he puts clearly before himself the reason for the trouble, and inflicts punishments only where they are really needed, then in nearly all cases discipline should be soon restored, and the need for punishment would cease to exist.

For training men to a proper sense of their duty, the importance of selecting suitable instructors cannot be overestimated. The Superintendent, however, should bear in mind the fact that his own character really

gives the tone to those who look up to him as their head. It is seldom realised how exact a knowledge of the character of their chief is acquired by subordinates. A Superintendent often overlooks this ; he forgets that in the acquisition of this knowledge his force acts as one man ; and that in no sense is the adage that the constables are the eyes of the force better exemplified than in this connection. They see their Superintendent in office, on parade, and at home. They know all his moods, and whims, both in official and private life ; and they naturally discuss him very considerably. Each Superintendent may rest assured that he is not judged merely by what he says, but at his true value. A Superintendent may mistake strength of position for strength of character, but his subordinates never commit this error.

To fully and justly appreciate the work of his officers, a Superintendent requires wide knowledge : knowledge of local conditions ; of the character and capabilities of his men ; and of the possibilities and difficulties of their work. He must know whether the absence of crime in any particular area is due to good prevention work ; to failure on

the part of the public or police to report crime committed ; to absence of criminals ; or to poverty of the residents within that area which makes theft unprofitable.

He must learn enough about every case under investigation to know if prevention should have been reasonably possible; and whether a seemingly clever detection should, with proper anticipatory work, have been quite simple. In detected cases he must know whether the evidence adduced is true ; and, if so, must be able to discriminate between evidence collected with care and fore-thought, and that which has been due to circumstances with which the investigator had nothing to do.

In undetected cases he must satisfy himself that the investigating officer has done, both before and after the occurrence of the crime, all that could reasonably be expected of him.

If a Superintendent sees to it that he has this knowledge, he will be enabled to appreciate at its full value the work of his subordinates, and to avoid those acts of unintentional injustice which are so fatal to the growth of full confidence in him.

CHAPTER XIII.

DISTRICT ORGANISATION.

The detailed supervision of the work done by a force varying in strength from six to twelve hundred men, and scattered over an area of several thousand square miles, entails a labour far beyond the capacity of any one man. It is obvious, therefore, that a Superintendent must avail himself of all the assistance which is provided for him. Each item of work should automatically fall to the share of the right man, and the organisation of the District should be such that each man has his own work definitely planned. The Superintendent must keep strictly to his own work, and must have clearly before him a mental vision of the part he plays in the general scheme of police organisation. He is the link joining Taluk to Taluk, and District to District. It is his duty to keep each Inspector in touch with all that concerns him in the bordering sub-division; and to keep his neighbouring Superintendent fully informed of all facts of common interest. He

must be able to answer, from his own knowledge, all enquiries made by his Inspector-General and those emanating from his own, or any other Criminal Investigation Department, about the movements of criminals and other matters of like importance.

If he finds himself unable to do any of these things, he may know that something is wrong. It may be that his Sub-Inspectors are not fully in sympathy with the village communities ; or that the Sub-Inspectors in their turn are not reporting to their Inspectors ; or the Inspectors may be failing in their duty ; or again the Superintendent's own office staff may not be making proper use of the information they have received. Whatever the cause, the result is the same ; somewhere, prevention of crime is not being attended to, and detection is being made difficult. Knowledge, experience, or careful enquiry will show exactly where the dislocation or obstruction exists, and indicate the remedy to be applied.

By a thorough perusal of his Inspectors' diaries, the Superintendent should learn, day by day, all that is needed regarding the conditions in his District. To this end it is

necessary for the Inspectors to receive in their turn, full information from their respective Sub-Inspectors ; and to transmit to their Superintendent a brief but lucid précis of the information received.

The more strictly the Superintendent insists on full and clear reporting to him by his Inspectors, the more will those Inspectors be forced to insist on regular and true reporting from their subordinates ; the more will the Sub-Inspectors insist on village reporting ; and, finally, the more alert will be the village officials.

Reporting, however, is not sufficient, and is only a means to an end. The Superintendent should see that every matter reported is communicated to those concerned. When he finds his Inspectors, or even Sub-Inspectors have failed in this connection, he should, through his own office, supply the needed information, and having done so, he should point out the omission to the offending officer for his future guidance.

Finally, the Superintendent should see that information imparted to Sub-Inspectors is acted on. For instance, that unwonted activity on the part of known criminals is

responded to by activity on the part of the police; that rich persons are warned to be on the alert, and to organise their own means of protection; that the officials of the village in which the bad characters live are roused to take special measures for their surveillance; that the criminal himself is warned that he is being watched; and that bordering Sub-Inspectors are warned and given descriptions of the men suspected to be planning crime, so that they again can take preventive measures within their jurisdiction.

If his organisation is perfect, all this would give the Superintendent only a few minutes' work and yet the results would be very effective. Such a daily routine would also ensure that the supervision over the whole working of the District was efficient; no slackness on the part of any subordinate could long escape notice; for if any individual failed to fulfil his share in the police scheme the whole machinery would receive a check.

To excuse neglect, an Inspector or Sub-Inspector might claim that he was on tour. Such an excuse is really self-condemnation,

for each Inspector or Sub-Inspector should so train his subordinates that during his absence his place as a link in the chain is automatically filled, and no disorganisation results. Nothing should be allowed to check the constant stream of intelligence which passes through each Police Administration, for that alone binds the police into one homogeneous force, and so gives them superiority over the criminal.

CHAPTER XIV.

SUPERVISION OF CRIMINAL INVESTIGATION.

Having succeeded in perfecting the organisation of his district police, and in gaining their confidence, the Superintendent has to enter on his most difficult task of guiding them through the investigation of the crime which they have failed to prevent.

It would not only be futile but wrong for a Superintendent to pretend that the detective work of his subordinates is not fraught with dangers to the moral constitution of those among them who adopt the profession lightly. We have frequent proof of wickedness perpetrated under the guise of necessity during the performance of this duty. Even those men who resort to oppressive action have been enlisted as lads of unblemished antecedents and promising character. When they joined the service they would have been horrified at the idea of committing half the evil which they are now hardened into practising daily. With this proof

before us, we must admit that detective duties, if misunderstood and not soundly and effectively supervised, may degrade and even bestialise those who have to perform them.

It is, therefore, essential that no expense or trouble should be spared in making sure that every lad who joins the force should be shown the difficulties of detection, and how they are best overcome. But important as it is that he should be trained before commencing his career, it is infinitely more important that during his first few years of actual work, he should have some friendly guide to whom he can confidently turn for help and advice.

The Superintendents and Inspectors are those who should supply this need. They should remember that it is their duty to help their subordinates, and prevent them from making mistakes. Experience has shown that cases requiring real detective skill demand from the investigator educational qualifications which it would be useless to expect among Sub-Inspectors. Experience has also taught us that ninety per cent of the cases which are investigated by the average Sub-Inspector, are neither complicated nor the

work of great criminals. They are every-day occurrences, and the work of uneducated men, who prepare for and commit crime in the same way as their forefathers did. The complainants are generally either well-to-do cultivators, or men of the banking class. The witnesses in most cases are people with simple ideas, unconnected with the complainant or accused, either by caste, family, or sympathy. Complainant, witness, and accused all look equally to the "Sirkar" for protection and fair dealing. To them the "Sirkar" is the officer in charge of their police station. The Superintendent should see that this officer upholds the honour of that position.

The remaining ten per cent of the cases may be far beyond the capacity of the Sub-Inspector. To train him to the pitch of efficiency necessary for success in dealing with these is impossible. Should a Sub-Inspector have sufficient intellectual ability to undertake these cases, he seldom remains a Sub-Inspector long, for his rapid promotion is certain. The detection of such cases is, therefore, essentially the work of supervising officers, and to recognise them is the

duty of the Inspector or Superintendent, and not that of the Sub-Inspector. The subordinate cannot make a case over to his superior, so the superior must take it over himself. To leave such cases to subordinates and then to punish those subordinates for bungling, or for succumbing to temptation, is almost criminal.

Supervision of all criminal investigations, which is sufficiently close to ensure the recognition of a complicated case, will automatically lead to that practical teaching, which is so essential a part of the duty of supervising officers, and so necessary for the Sub-Inspector.

It should be remembered that the average Sub-Inspector is only very partially educated. He has learned to read and write, he has learned the rudiments of law and procedure, and a vague smattering of criminology. He has, however, seldom received much moral training, and has probably never been taught to realise his responsibilities. The supervising officer, therefore, has to begin at the very beginning, and lead his subordinates into a proper line of thought. He cannot do this better than by patient and

minute supervision of each officers' daily actions.

If a Superintendent, or Inspector, shirks this duty of teaching, he is a failure. He may argue that his work is already more than he can manage without acting school master; but he may rest assured that time spent in teaching his men is time exceedingly well spent. The officers of a regiment do not pass their days shooting at a target by themselves because they find that their men do not know how to use their rifles.

Before a Superintendent or Inspector can hope to supervise and instruct his subordinates, he must be certain that he himself knows how to do their work. He must remember that the receipt of vague orders teaches the subordinate that the supervision of his work is not thorough, and, therefore, not to be feared. Again, the receipt of an order which it is impossible to carry out, at once shows that the superior does not know his work, and, therefore, that he can be duped. Both vague and impracticable orders are also, apart from their uselessness, unfair on the subordinates who receive them.

Every Superintendent should study his profession, and find time to investigate, personally, every kind of case coming to his notice. Being of a higher order of intelligence, and better able to study theory, he should have no difficulty in holding his own even among his more practised subordinates. He need, therefore, have no false modesty about trying, although he may never have tried before. Experience of practical work will teach him how difficult it is to find time for all he expects his investigators to do, and will prevent him from asking of them impossibilities. He will realise the tediousness of copying diaries, and so learn to use, and allow his subordinates to use, "carbon" paper such as is now adopted for use in all business firms. He will learn the difficulty of shadowing, which he now orders so glibly: and most important of all, he will learn how much can be done with a little tact and trouble. He will also find how impossible true investigation is without the careful recording of statements, drawing of plans, and jotting down of notes; and when in office hearing case-diaries, he will infallibly detect where fiction begins to take the place of fact, and

whether the enquiry, which is being described, is a real one.

A plan which commends itself greatly in checking an enquiry into a crime, is for the supervising officer to mentally disagree with all deductions made. If murder be reported, he should propound to himself the theory that the case has been mistakenly accepted as murder; and from the evidence before him should try to prove it accidental death, or suicide. He should scrutinise the whole report on the presumption that its writer is mistaken in his deductions from each fact; and try to make these facts suit an opposite theory. It is marvellous what careful checks for testing each detail can thus be suggested; and how frequently it may be found that all the evidence adduced to suit the investigator's theory fits an opposite theory equally well; a discovery which might never have been made unless the test of disbelief had been brought to bear. The orders thus suggested will be always useful and to the point, and may often save serious blunders. They will never be impossible; for their object will be to discover some definite information, which is certainly

needed. They will never discourage or annoy a zealous investigating officer, but will awaken in him a special keenness, since they will indicate to him the interest which his superior is taking in his work.

CHAPTER XV.

INSPECTION.

Inspection is for the acquisition of local knowledge, and should not be conducted in a spirit of suspicious scrutiny of detail in search for error.

In no inspection should the discovery of error in the upkeep of registers be accepted in itself as justification for punishment.

Registers were not invented in order that their upkeep should give employment to Sub-Inspectors, nor were Sub-Inspectors appointed to write up registers. Registers are the tools with which Sub-Inspectors do their work ; if those tools are neglected, it generally indicates that the work to be done with them is neglected also. It may, however, be that the Sub-Inspector who ignores his registers is working hard enough, but working with his own penknife, so to speak, instead of with the tools, the use of which he does not understand. He then wants teaching, not punishment. He may be trusting his memory, and seem justified in so doing by

being the happy possessor of an abnormal mind. In reality he is not justified, for he cannot pass on his memory-stored knowledge to a successor, and has no right to withhold it by failure to keep it on record, and thus available for any one who takes his place.

No inspecting officer should feel that he has finished his work at a police station until he has completely gained a grip of the work that is being done there, and is fully convinced of what is needed to perfect that work. He should feel that, were he to be suddenly given charge of that station, he could immediately carry on its duties without their suffering by the change of supervision. He should show the station house officer what he considers to be the correct lines on which he must work each pending case, and how to tackle each problem that has presented itself ; and so leave, feeling he has done something towards rectifying errors, improving the work, and the moral tone of the station personnel ; and towards encouraging his fellow policemen in the fulfilment of their very difficult duty of public service.

CHAPTER XVI.

VILLAGE POLICE.

The “Village Police” question has been left till the last: it could not be discussed until the public distrust of the police had been explained. It was also necessary to make it quite clear that the police are not the oppressors of the public but their friends; and while yet doing their work efficiently can still be honourable members of society.

So far all that I have said regarding true police desires, and the policy by which these desires are to be attained, will, I believe, be accepted as standing to reason, and as nothing new. But with regard to the relationship of the village police to the regular police the position is different, for the views I hold are not officially accepted. The question, however, is of such very grave importance, and seems to have so direct a bearing both on past misunderstandings and on future police reform, that I have ventured with all deference and loyalty, to discuss it.

Briefly the regular police force of each province is organised, recruited, and trained

by its Inspector-General. The provincial police force is divided into district forces, and each of these is under a Superintendent, who is responsible to the Inspector-General for the efficiency of his charge. In each district the "District Officer" controls every department, and the police, like every other department, come under him. Therefore in matters of district interest the Superintendent takes his orders from the District Officer, and is thus under dual control.

Except for occasional unimportant difficulties caused by the individual idiosyncrasies of tactless officers, the system works well, and dual control has little evil effect. Any difficulties which may arise are settled by the Local Government advised by the Commissioner as the administrative head, and the Inspector-General of Police as the departmental head.

As each province is divided into districts, so each district is divided into villages. It might, therefore, be expected that the dual system which prevails in the district, and works well enough, should extend to the village, which is the unit of district adminis-

tration. This, however, is not the case : the dual system ends at the police station. The village police forces are placed under revenue officers ; and village police officers are under the Tehsildar, not only for the Tehsildar's administrative needs, but also for their own recruitment and training.

Now, this scheme causes two evils :—(1) it makes the police station the unit of the administration of the regular police ; and (2) it gives the village police officer no chance of learning his profession.

As regards the first evil, a police station cannot be a true unit, and making it so necessitates the wholesale grouping of villages. Such grouping is in direct violation of the accepted principle, that the unit of administration in India should as far as possible be the individual village.

The second evil is of greater importance. The village police officer has many duties to perform, the effects of which are felt far beyond his village limits, or even beyond the limits of the district in which his village is situated. These duties are essentially police duties, but for the learning of them the village police have to depend on the teaching of

Tehsildars who have neither the experience nor the training to make them efficient instructors. What is more, not only have Tehsildars neither experience nor training, but, as pointed out by the Police Commission of 1902-03, they too often fail to evince sufficient interest in this duty. The reason for this want of interest is because the careful administration of the village police neither reduces the revenue work of a Tehsildar, nor increases the revenue he collects. Thus, no labour expended on the police in any way compensates him for the time taken from his more directly departmental duties. Moreover, to the keenest Tehsildar the working up of individual police officers can have no fascination, for any satisfactory results obtained only benefit the professional police, and any gain which is derived probably has its effect far beyond the limits of the Tehsildar's own jurisdiction. To the Tehsildar, therefore, village police work must seem a very dull and useless work, with little or no point, and his apathy is hardly surprising.

The remedy for both these evils (the violation of the principle that the village is the natural unit of all administration, and

the want of the proper instruction of the village police) would appear to be to adopt once again the natural arrangement whereby the village police formed a very essential part of the regular police. Such a return, in addition to making the village the unit of police administration, and allowing the village policeman to be trained by a professional police officer, would, while completing the system of dual control by extending it from the district to the village, also complete an at present imperfect organisation.

Ever since the reforms introduced about the year 1860, the principle that the village police must *not* be subordinate to the regular police has been accepted.

The Police Commission of 1902-03 emphasised the necessity of adhering to this principle in para. 44 of their report which runs as follows:—

“44. Returning now to the general consideration of the subject, the Commission desire to record the strong impression that has been made on their minds in the course of this inquiry of the paramount importance of maintaining

Village police should not be under the regular police.

and fostering the existing village agencies available for police work. With reference to this question, the Commission desire to emphasise their conviction that the village police ought not to be separated from the village organisation and placed under the regular police. They desire to see, not a body of low-paid stipendiaries or subordinate police scattered over the country, but the utilisation of the village agency itself. The village is the unit of administration. Improved administration lies in teaching the village communities to take an active interest in their own affairs. The village community is represented (ordinarily) by its headman, and effective police administration must be based on the recognition and enforcement of the responsibility of the headman. He is the man who can really help the police; his position and influence should be strengthened; and it is to him that the police should look for co-operation in their work. This is the basis of the provisions of section 45 of the Criminal Procedure Code, which make the headman responsible for the communication forthwith to the magistracy or police of information concerning certain

offences and offenders, and empower the District Magistrate (subject to rules made by the Local Government) to appoint village headmen, for the purposes of this section, where there is no such headman appointed by any other law. The Commission consider it to be of vital importance to emphasise the responsibility of the village headman, and to hold the village police officer, by whatever name he may be locally known, responsible rather as the subordinate of the village headman and his servant for the performance of police functions. The village headman for police purposes ought, as far as possible, to be the man recognised as headman in respect of the revenue and general administration of the village; where that is impossible, he ought to be a man of position and influence in the village; and the District Officer ought to maintain and strengthen his position and influence. It is necessary to repose a large discretion in him and firmly to acknowledge his respectability and authority in the village. The village police officer ought to be a village servant, holding his own place in the life of the village, the subordinate of the village headman, who

must be regarded as primarily responsible for crime in the village. The intimate connection and association of both these men with the people must be maintained. Both should discharge their duties as representing the village community, and as responsible to the head of the district."

It is impossible to find fault with these views, except that the argument seemed to be based on the supposition that the placing of the village police under the regular police would necessarily involve their being separated from, and placed out of touch with, the village organisation. This is not necessarily the case.

The only reason given against placing the village police under the regular police is contained in the concluding sentence of the same paragraph, which runs as follows :—

" To place the village police officer under the thumb of the station house officer would be to subvert the system in its essential principles, to get out of touch with the people of their customs, usages, and interests, and often to place the dregs of the people over the respectable classes. The village watchman would become the menial servant

of the police and probably become unscrupulous in his methods. He would work apart from, and often against, the village headman. His intimate knowledge of village affairs would be lost, and he would become a very inferior police officer. Both the village headman and the village police officer must be regarded as co-operating with, not subordinate to, the regular police."

These contentions assume first that the village policeman, because he is selected by the District Officer through the District Superintendent of Police, will not be a member of the village community, and will not be carefully chosen; and, secondly, that the station house officer is unscrupulous and uncontrolled. But is this necessarily true?

It would seem that when writing this the Commission must have had in their minds a station house officer of a stamp unfortunately not perhaps quite extinct, but one that no Government would knowingly retain in its service, and therefore hardly the type of officer who would be selected to aid in carrying out any scheme. I cannot think that reference is made to police officers whose aims are those described in earlier chapters

of this volume as true police aims ; or that it is meant that the direct association of a village police officer with such men would even probably lead to the evils so graphically pictured. Presumably, therefore, the meaning is not that no regular police could be trusted to control and teach the village police, but that certain individual police Sub-Inspectors of an objectionable type cannot be trusted independently to appoint and control village watchmen.

It would, therefore, appear that there are no reasons why the regular and village police forces should not become one, if such an arrangement be found desirable. Before attempting to arrive at any decision, however, let us for a moment consider the reasons which led the reformers of the middle of last century to advocate the separation of these two forces.

When the British first came to India there was an indigenous police system, which was " well suited to the needs of a simple, homogeneous, agricultural community " but which " could not support the strain of political disorder, and the relaxation of control from above, " which subsequently prevailed.

Changes were introduced from time to time but were found to be far from satisfactory. Eventually a so-called police force was evolved. This force was not only inefficient, but was regarded by the public as tyrannical and oppressive. In 1860 the Government, acting on the advice of the Police Commission of that year introduced, among other reforms, the present system whereby the regular and village police were separated. This was then necessary for the regular police were inadequately controlled.

At that time the Government had to admit that the police were oppressive and untrustworthy ; its first aim, therefore, was to curtail police power for oppression, and so restore confidence in itself ; its second aim was gradually to improve the tone and efficiency of the police with a view to restoring public confidence in that department. In both directions the policy then adopted has been to a very large extent successful, and up till recently the exclusion of the regular police from all direct connection with village administration has been justified.

The time, however, has now come when the position can be reconsidered. The

police are no longer the uncontrolled and oppressive force that they once were. They are instead a great power for good, and their inherent stability has been clearly demonstrated during the recent incidents of "unrest." They really possess the full confidence of Government, and deserve in equal degree the confidence of the public. This public trust is, however, withheld, and will be withheld until the act which indicated official distrust be rescinded. India is a continent of villages. True public opinion in India is that which exists in its villages. Therefore, so long as the stigma placed on the trustworthiness of the police remains advertised in every village, so long will every village community, and public opinion, find argument for denouncing the police as an untrustworthy department, which is still in disgrace.

While this distrust of the police as a force exists, co-operation between the village police and the regular force will depend entirely on the individual tact of the officer seeking it, and he will only obtain it because he will be supposed to be different to the ordinary policeman. This is wrong. The mischief, however, does not cease here. Lack of

co-operation often turns into active hostility, and leads the untactful police officer to coerce the assistance to which the law gives him a right. Such coercion revives the belief that the police are always oppressive. Thus, the very feeling which Government has always wished to dispel is fostered by the system through which its disappearance was to be attained. Moreover, when a police officer resorts to coercion to secure even legitimate assistance, he becomes responsible for any friction that may arise. This leads the police themselves to wish to avoid all contact with the village officials, and to trust to "informers" and "detection" to save them from charges of incompetence and idleness. Thus, we see that the present condition fosters distrust, and so encourages the police to adopt wrong habits. These habits have already been shown to be the two main causes of the demoralisation of those police officers who adopt them. Hence the present position is responsible, partially at any rate, for the incompleteness of the reformation of the police during the last fifty years. It would therefore again seem that the change is not only advisable but urgently

necessary if further progress is to be attained. India is conservative, and takes a long time to change its opinions. In 1860 its views about the police were very definite, and Government endorsed them, and most publicly admitted them to be just. Those views are now obsolete and unjustifiable, but they remain because the sign of official distrust, which was in 1860 established in each village throughout British India, has not yet been removed. Until trust in the police be demonstrated in the same universal way that distrust of them was proclaimed, the public will still think that there is need to cling to the old tradition that the police are their enemies, and are only held in check by Government as represented by the Revenue Department. Make it impossible for such views to be held, let there be no further question that the police is a department to which the proudest in the land might be proud to belong ; let the present official trust and confidence be universally proclaimed by allowing the two brother forces once again join hands, then will the claim be justified that fifty years of strenuous endeavour to reform the police has not been in vain.

The change advocated is that the village police, while being essentially a part of the village community should, for all purposes of organisation and performance of their duties, be one with the regular police. This change will not only be a public mark of Government confidence, but will also complete the chain which in Chapter V was shown to be essential for the prevention of crime. Prevention of crime is admittedly the primary object of the police, but prevention is impossible unless the police chain be complete.

The only way to prevent crime is for the two forces to work as one. The information obtainable by the village police is useless unless acted upon by the regular police. The power of the regular police for action depends entirely on information which only the village police can supply. Therefore, separated they are impotent, combined they should be all powerful.

Again, as long as the regular police are a force apart, and unconnected by any direct tie with the public, so long will public opinion be of no interest to them. When they are identified with the village police and so are directly connected with each village

community, public opinion will at once take its proper place as the controller of police action. Each Sub-Inspector will find himself looked up to as the helper and protector of each village community within his jurisdiction. Such an officer is always chosen for his previous good character and antecedents. Therefore his natural desire, once he understands his position, will be to remain worthy of the trust placed in him, to deserve public esteem, to retain his self-respect, and to uphold the good name of his force. This will create the true form of *esprit de corps* which at present hardly exists.

The union of the two forces must be the true consummation of the efforts of all police reformers in India. Unite them; teach their individual members the part each has to take in the linking up of the police chain; teach all to work together for the highest police ideals; and then, and not till then, will every member of the force be proud of his membership, and then will India, as it can and as it should, possess the finest police organisation in the world.

NOTICE.

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